

**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

February 2nd, 2021

The **February** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, February 2nd, 2021 at 6:08 P.M.**, Via Zoom Conferencing by President Dave Doran who determined a quorum was present.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer, Treasurer J.R. Bond, Secretary Darrel Nily
Treasurer Bond joined the meeting at 6:33 P.M.

Board Members Absent: NA

Others in Attendance: John Hill, Terry Seaman, Lisa Thompson, Mike Wireman, Jeff Munger, Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED AND OPEN TO THE PUBLIC

1. Call to Order/Roll Call:

President Doran called the meeting to order and took roll call and determined a quorum was present.

2. Agenda for February 2nd, 2021:

Director Farmer motioned to approve the agenda with the additions to well permit applications for Hamilton, MOD Air LLC, Brownlee, Noblitt, Rose, Anderson, Reyes, Anderson, CMH Homes, Clayton Homes, and Wen. Director Nily seconded the motion. Motion carried (3-0)

3. Minutes for January 5th, 2021:

Director Nily motioned to approve the January 5th, 2021 minutes. Director Farmer seconded the motion. Motion carried (3-0)

4. Treasurer Report & Any Bills Needing Board Approval:

Manager Doran reported on the income and expenses for January. Discussion followed on the USGS study and payment amounts. Director Nily motioned to approve the January treasurer report and pay any needed bills. Director Farmer seconded the motion. Motion carried (3-0)

VISITOR INPUT

NA

OLD BUSINESS

1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:

Attorney Thompson wanted to thank Cherokee for allowing for a site visit for Mike Wireman. Ms. Thompson reported on a technical memorandum that Cherokee is working on and will get to the district and the next status conference.

2. District Violations/Enforcement Actions:

Ms. Thompson advised that the district had gotten an email and copy of letter from Chris Grimes regarding a cease & desist order on an excavation of a pond by a Mr. Pham. Discussion followed on a previous violation that Tran/Pham had, and were issued a Cease & Desist but are now in the process of moving its operation of said previous violation and Cease & Desist to the location named in the new area of violation. Ms. Thompson will talk with Chris Grimes regarding this.

3. District Rulemaking:

Ms. Thompson noted that the district will be letting the studies take the forefront right now and the rules will be put aside for the time being.

4. USGS Monitoring Program/Water Quality Study:

Consultant Mike Wireman gave the board an update on the two studies that the district is participating in right now. Discussion followed on the scope and cost of the studies.

NEW BUSINESS

Water Well Permit Applications:

Attorney Thompson and consultant Mike Wireman gave an overview on the Upper Pierre aquifer and their thoughts on whether this should be designated water. Discussion followed on the pending applications and sending a letter to the State.

1. Clayton Homes:

Applicant is applying for a well in the Upper Pierre for 1 acre-foot, 2 homes, 1 acre of irrigation, domestic animal watering in Hayden Point Estates on 36.8 acres. See action below.

2. Clayton Homes/3 Applications/Approved in January but resubmitted for new aquifer and amount:

These applications were approved last month for the Laramie-Fox Hills aquifer, they are now re-applying for the Upper Pierre. They are all 39.8-acre parcels, asking for 1 acre-foot, 2 homes, 1 acre of irrigation, and domestic animal watering. See action below.

3. Abeyta:

Applicant is applying for a well permit in the Dawson aquifer, for 1 acre-foot, does not specify a number of homes or irrigation, with domestic animal watering on 19.18 acres. The applicant received his replacement plan for the Dawson aquifer in April 2020. This

would fall under our Rule 17 and be limited to .5 acre-feet as the parcel is under 35 acres. See action below.

4. Harding/Shaw:

The applicants are applying to replace an existing well with permit number 516. They are asking for 1 home, 1 acre of irrigation, domestic and livestock watering, 1 acre-foot in the Denver aquifer on 40 acres. It is consistent with their original well permit.

5. Stenerson:

The applicant is applying for a well permit in the Arapahoe aquifer for 1 acre-foot, 1 home, 1 acre of irrigation, domestic and livestock watering on 39.9 acres. It meets our rules and regulations.

6. Hamilton:

The applicant is applying for a commercial well permit for drinking and sanitary use in Meadow Lake Airport Filing 1. He is seeking 1/3 acre-feet in the Denver aquifer.

7. MOD Air LLC:

The applicant is applying for a commercial well permit for drinking and sanitary use in Meadow Lake Airport Filing 1. He is seeking 1/3 acre-feet in the Denver aquifer.

8. Brownlee:

The applicant is applying for a well permit on a 39.49-acre parcel in Estate Ranchettes North for two homes, 1 acre of irrigation, 1 acre-foot in the Denver aquifer. This well falls under determination of water right no. 877-BD.

9. Noblitt:

The applicant is applying for a well permit on 35.494 acres in Old West Ranch under determination of water rights no. 459-BD. They are asking for two homes, 1 acre of irrigation, domestic animal watering and stock watering and 1 acre-foot in the Denver aquifer. Our stock answer that although it meets the districts rules and regulations until the water rights are determined we are not commenting on these lots.

10. Rose:

The applicants are applying for a well on 36.93 acre in Stage Coach on the Range for two homes, 1 acre-foot in the Arapahoe aquifer, 1 acre of irrigation, domestic and stock watering. This falls under determination of water right no. 3390-BD.

11. Anderson:

The applicant is applying for 1 home, 1 acre of irrigation, domestic animal watering, and 1 acre-foot in the Arapahoe aquifer on 10 acres in Peakview Mini Ranches. They are allowed in their subdivision water supply letter .66 acre-feet in the Arapahoe or Denver aquifer, 1 home, 5,000 square feet of irrigation and limited livestock. They will need to fix their application to reflect what is allowed before approval.

12. Reyes:

The applicants are applying for a well permit on 35.77 acres in Centennial Ridge Phase 2 for 2 homes, 1 acre of irrigation, domestic and stock watering, and 1 acre-foot in the Arapahoe aquifer. They had a previous permit expire in 2003.

13. Anderson:

The applicant is applying for a well permit on 5 acres of land in Reata Subdivision. They are asking for 2 homes, 1 acre of irrigation, domestic animal watering and 1 acre-foot in the Dawson aquifer. They are allowed in their subdivision water supply letter to have 1 acre-foot in the Dawson, ½ acre of irrigation and it needs to be metered. They will need to correct their application to reflect what is allowed before approval.

14. CMH Homes:

The applicant is wanting to change the aquifer of permit no. 319091 from Laramie-Fox Hills to the Upper Pierre aquifer. They had applied for 2 homes, 1 acre of irrigation, domestic animal watering, 1 acre-foot in the Laramie-Fox Hills aquifer in Hayden Point Estates. See action below.

15. Clayton Homes:

The applicant is applying for 2 homes, 1 acre of irrigation, domestic animal watering and 1 acre-foot in the Upper Pierre aquifer on 35 acres in Hayden Point Estates. See action below.

16. Wen:

The applicant is applying for two homes, 1 acre of irrigation, domestic and stock watering, and 1 acre-foot in the Denver aquifer on 35.4 acres. Meets the districts rules and regulations.

Director Doran motioned to approve the Clayton and CMH Homes well permit applications in the Upper Pierre Shale aquifer as it meets our requirements, with a letter to the State from our legal counsel and our consultant on the hydrogeology issues and authority of this aquifer. Discussion continued. Director Farmer seconded the motion. Motion carried (4-0)

Director Farmer motioned to have Attorney Thompson and Mike Wireman review and comment on the Abeyta application. Director Bond seconded the motion. Motion carried (4-0)

Director Farmer motioned to approve well permit applications 4-13 and number 16. Director Nily seconded the motion. Motion carried (4-0)

Determination of Water Rights:

1. NA

El Paso County Reviews:

1. Colvin Heritage Farms/Minor Subdivision:

The applicants are applying for a minor subdivision. It is a 19.8 acre parcel an they are wanting to subdivide it into two lots in the Black Forest area, north of Burgess Road, and

one mile east of Vollmer Road. The first property will be 10.1 acres and the second parcel will be 9.7 acres. The applicant has an existing Dawson aquifer and plans on drilling a new Dawson aquifer well according to the plan. The well permits are nos. 84459-F and 84460-F, they allow Dawson aquifer, 1 acre-foot, 1 single family dwelling, domestic animal watering, irrigation of 1 acre. They got a determination of water right and a replacement plan for the Dawson aquifer. Discussion followed.

2. Villas at Claremont Ranch/PUD/Preliminary Plat/Final Plat (Out of district but Cherokee water):

Applicants are applying for a PUD/Preliminary Plan & Final Plat for a townhouse development. They plan on using Cherokee water and wastewater for the 83 attached single-family lots. They are also amending it from commercial to residential/multi family. Discussion followed with Jeff Munger on water availability in the Cherokee district.

Director Farmer motioned to have attorney Thompson and Mike Wireman review the Colvin Heritage Farm application and comment. Director Nily seconded the motion. Motion carried (4-0)

There was discussion regarding Mike Wireman writing a technical memo on subdivisions using septic systems.

New Business Not Covered Above:

NA

Any Other Business the Board May Have:

1. Audit Exemption:

Manager Doran noted that if we meet by Zoom next month, she will have to meet with them after the next meeting to have them sign the document and resolution.

Director Farmer asked the board if he could call Mr. Wireman and pass on the well locations, for a call 15 minutes or less. Discussion followed.

Next meeting will be March 2nd, 2021

EXECUTIVE SESSION

NA

EXECUTIVE SESSION REPORT

NA

ADJOURNMENT

President Doran called for the meeting to be adjourned.

Director Farmer made a motion to adjourn the meeting. Director Bond seconded the motion.
Motion carried (4-0)

The meeting adjourned at 7:19 P.M.

Tracy Doran/Office Manager